



March 21, 2014

VIA CERTIFIED MAIL

Pick-N-Pull Auto Dismantlers
Managing Agent
7590 Stockton Boulevard
Sacramento, California 95823

VIA UNITED STATES MAIL

Pick and Pull Auto Dismantling, Inc.
299 SW Clay, Suite 350
Portland, Oregon 97210

Schnitzer Steel Industries, Inc.
3200 NW Yeon Avenue
Portland, Oregon 97201

C T Corporation System
Registered Agent for Norprop, Inc.
818 W Seventh Street
Los Angeles, California 90017

C T Corporation System
Registered Agent for
Schnitzer Steel Industries, Inc.
818 W Seventh Street
Los Angeles, California 90017

Norprop, Inc.
3200 NW Yeon Avenue
Portland, Oregon 97210

Pick-N-Pull
10850 Gold Center Drive, Suite 325
Rancho Cordova, California 95670

C T Corporation System
Registered Agent for
Pick and Pull Auto Dismantling, Inc.
818 W Seventh Street
Los Angeles, California 90017

Re: Notice of Violation and Intent to File Suit Under the Clean Water Act

To Whom It May Concern:

I am writing on behalf of California Sportfishing Protection Alliance ("CSPA") regarding violations of the Clean Water Act¹ and California's General Industrial Storm Water Permit²

¹ Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 *et seq.*

occurring at the Pick-N-Pull facility located at 7590³ Stockton Boulevard in Sacramento, California 95823 (hereinafter the "PNP Sacramento Facility" or "Facility"). The purpose of this letter is to put the owners and operators of the PNP Sacramento Facility on notice of the violations of the Storm Water Permit that have occurred, and continue to occur, at the Facility including, but not limited to, the discharges of polluted storm water from the Facility into local water bodies. Violations of the Storm Water Permit are violations of the Clean Water Act. As explained below, the owners and/or operators of the PNP Sacramento Facility are liable for violations of the Storm Water Permit and the Clean Water Act.

Section 505(b) of the Clean Water Act, 33 U.S.C. § 1365(b), requires that sixty (60) days prior to the initiation of a civil action under Section 505(a) of the Clean Water Act, 33 U.S.C. § 1365(a), a citizen must give notice of his/her intention to sue. Notice must be given to the alleged violator, the Administrator of the United States Environmental Protection Agency ("EPA"), the Regional Administrator of the EPA, the Executive Officer of the water pollution control agency in the State in which the violations occur, and, if the alleged violator is a corporation, the registered agent of the corporation. See 40 C.F.R. § 135.2. This letter is being sent to you as the PNP Sacramento Facility owners and/or operators, or as the registered agent for these entities. By this letter, issued pursuant to 33 U.S.C. §§ 1365(a) and (b) of the Clean Water Act, CSPA puts the PNP Sacramento Facility owners and/or operators on notice that after the expiration of sixty (60) days from the date of this letter, we intend to file an enforcement action in federal court against them for violations of the Storm Water Permit and the Clean Water Act.

I. Background.

A. California Sportfishing Protection Alliance.

CSPA is a 501(c)(3) non-profit public benefit conservation and research organization. CSPA was established in 1983 for the purpose of conserving, restoring, and enhancing the state's water quality, wildlife, fishery resources, aquatic ecosystems, and associated riparian habitats. CSPA accomplishes its mission by actively seeking federal, state, and local agency implementation of environmental regulations and statutes and routinely participates in administrative, legislative, and judicial proceedings. When necessary, CSPA directly initiates enforcement actions on behalf of itself and its members to protect public trust resources. CSPA's office is located at 3536 Rainier Avenue, Stockton, California 95204.

The owners and/or operators of the PNP Sacramento Facility have discharged, and continue to discharge, polluted storm water to the Elder Creek, which flows to the Morrison Creek, the Stone Lake National Wildlife Refuge, and then to the Sacramento-San Joaquin River Delta ("Delta") (collectively "Receiving Waters"). The PNP Sacramento Facility's discharges of polluted storm water degrade water quality and harm aquatic life in the Receiving Waters. Members of CSPA live, work, and/or recreate near the Receiving Waters. For example, CSPA

² National Pollution Discharge Elimination System ("NPDES") General Permit No. CAS000001 [State Water Resources Control Board] Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ (hereinafter "Storm Water Permit").

³ The Pick-N-Pull website lists the facility address as 7560 Stockton Boulevard.

members use and enjoy the Receiving Waters for fishing, boating, swimming, bird watching, picnicking, viewing wildlife, and engaging in scientific study. The unlawful discharge of pollutants from the PNP Sacramento Facility impairs each of these uses. Further, the PNP Sacramento Facility's discharges of polluted storm water are ongoing and continuous. As a result, CSPA's members' use and enjoyment of the Receiving Waters has been and continues to be adversely impacted. Thus, the interests of CSPA's members have been, are being, and will continue to be adversely affected by the failure of the PNP Sacramento Facility owners and/or operators to comply with the Storm Water Permit and the Clean Water Act.

B. The Owners and/or Operators of the PNP Sacramento Facility.

Based on information available to CSPA, below is a brief description of the PNP Sacramento Facility owners and/or operators covering the statutory period from March 21, 2009 to the present. CSPA refers to the entities identified below collectively as the "PNP Sacramento Facility Owners and/or Operators."

Pick-N-Pull Auto Dismantlers, a registered California General Partnership

Information available to CSPA indicates that Pick-N-Pull Auto Dismantlers, also referred to as "Pick-N-Pull," has been a registered California General Partnership since May 11, 2007. Information available to CSPA indicates that Pick-N-Pull Auto Dismantlers has been an owner of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that Pick-N-Pull Auto Dismantlers has been an operator of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that the general partners of Pick-N-Pull Auto Dismantlers are Norprop, Inc. and Pick and Pull Auto Dismantling, Inc.

Norprop, Inc.

Information available to CSPA indicates that Norprop, Inc. is an active corporation registered in both Oregon and California. Information available to CSPA indicates that Norprop, Inc. has been an owner of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that Norprop, Inc. has been an operator of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that Norprop, Inc. is a wholly owned subsidiary of Schnitzer Steel, Inc.

Pick and Pull Auto Dismantling, Inc.

Information available to CSPA indicates that Pick and Pull Auto Dismantling, Inc. is an active corporation registered in California. Information available to CSPA indicates that Pick and Pull Auto Dismantling, Inc. has been an owner of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that Pick and Pull Auto Dismantling, Inc. has been an operator of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that Pick and Pull Auto Dismantling, Inc. is a subsidiary of Norprop, Inc.

Schnitzer Steel Industries, Inc.

Information available to CSPA indicates that the PNP Sacramento Facility is just one of 50 Pick-n-Pull locations across the United States and Canada. Information available to CSPA also indicates that all of the Pick-n-Pull locations were acquired by Schnitzer Steel Industries, Inc. on February 14, 2003, and became part of Schnitzer Steel Industries, Inc.'s "Auto Parts Business unit." CSPA obtained the following information from the Pick-N-Pull website (www.picknpull.com): "Pick-n-Pull is a subsidiary of Schnitzer Steel Industries, Inc., a global leader in the metals recycling industry that has been in business for over a century. Although Pick-n-Pull and Schnitzer have worked together since 1989, Pick-n-Pull became a fully owned subsidiary of Schnitzer in 2003 as part of its Auto Parts Business unit." "© 2014 Pick-n-Pull Auto and Truck Dismantlers, a subsidiary of Schnitzer Steel Industries, Inc." CSPA obtained the following information from the Schnitzer Steel website (www.schnitzersteel.com): 1989, Schnitzer enters Pick-n-Pull joint venture; 2003: "Schnitzer buys out its partner in the Pick-n-Pull joint venture. Pick-n-Pull becomes a wholly owned subsidiary and the first member of Schnitzer's Auto Parts Business"; "Schnitzer's Auto Parts Business operates Pick-n-Pull, one of the nation's premier self-service used auto parts networks with 61 auto recycling facilities in 16 U.S. states and Western Canada dedicated to supplying customers with low-cost, quality used auto parts."

Information available to CSPA indicates that Schnitzer Steel Industries, Inc. is an active corporation registered in Oregon and California. Information available to CSPA indicates that Schnitzer Steel Industries, Inc. has been an owner of the PNP Sacramento Facility since at least March 21, 2009. Information available to CSPA indicates that Schnitzer Steel Industries, Inc. has been an operator of the PNP Sacramento Facility since at least March 21, 2009.

The Registered Agent for Norporp, Inc., Pick and Pull Auto Dismantling, Inc. and Schnitzer Steel Industries, Inc. is CT Corporation System, located at 818 W Seventh Street, Los Angeles California 90017.

C. The PNP Sacramento Facility's Coverage Under the Storm Water Permit.

A Notice of Intent ("NOI") to obtain Storm Water Permit coverage for the automobile dismantling operations at the PNP Sacramento Facility was first submitted to the State Water Resources Control Board ("State Board") in March 1992 ("1992 NOI"). The 1992 NOI was submitted by U-Pull-It, Inc., and it lists the *Owner/Operator* as: U-Pull-It, Inc. The State Board assigned the PNP Sacramento Facility at 7590 Stockton Boulevard Waste Discharge Identification ("WDID") Number 5S34I001815.⁴ The 1992 NOI states that the PNP Sacramento Facility is approximately 15 acres in size, 31% impervious, and identifies the PNP Sacramento Facility's Standard Industrial Classification ("SIC") code of regulated activity as 5015 (*Motor Vehicle Parts, Used*).

In September 1994, U-Pull-It, Inc. submitted another NOI ("1994 NOI") for the PNP Sacramento Facility. The 1994 NOI has the *Change of Information* box marked, and lists the

⁴ Each Annual Report filed by the PNP Sacramento Facility Owners and/or Operators since at least the 2008/2009 Annual Report lists the WDID Number for the PNP Sacramento Facility as 5S34I001815. This WDID number, and WDID number 5A34S001815 from the 1994 NOI, refer to the same PNP Sacramento Facility.

WDID as 5A34S001815, and lists a new contact person, but all other information is identical to the 1992 NOI. In June of 1997, U-Pull-It, Inc. submitted an NOI ("1997 NOI") for existing facility operators to continue coverage under the reissued Storm Water Permit, which replaced the 1992 Storm Water Permit. The 1997 NOI still lists U-Pull-It Inc. as the *Facility Operator* but the information for *Facility Location* now lists the Facility's name as "DBA-PICK-N-PULL." The Facility WDID number did not change from the 1994 NOI and was listed as 5A34S001815.

Since at least the filing of the 2008/2009 Annual Report, the PNP Sacramento Facility Owners and/or Operators have identified the *Facility Information* as "Pick N Pull Auto Dismantlers," and the *Facility Operator* as "Pick N Pull." The 2008/2009, 2009/2010, and 2011/2012 Annual Reports list the *Facility Billing Information* as "Pick N Pull," but the 2012/2013 Annual Report lists the *Facility Billing Information* as "Schnitzer Steel Industries, Inc."

D. Storm Water Pollution and Its Impacts on the Sacramento-San Joaquin Delta Watershed.

With every significant rainfall event, millions of gallons of polluted rainwater, originating from industrial facilities such as the PNP Sacramento Facility, pour into storm drains and surface waters in California. The consensus among agencies and water quality specialists is that storm water pollution accounts for more than half of the total pollution entering surface waters each year. This discharge of pollutants, which includes discharges from industrial facilities, contributes to the impairment of downstream waters and aquatic dependent wildlife.

Polluted storm water discharges from auto dismantling and scrap metal yards can carry pollutants such as sediment (or total suspended solids ("TSS")); dust and particulates; petroleum hydrocarbons; and toxic metals such as mercury, nickel, cadmium, zinc, copper, iron, aluminum, and lead. Many of these pollutants are on the list of chemicals published by the State of California as known to cause cancer, birth defects, and developmental or reproductive harm. Polluted storm water discharges to surface waters pose carcinogenic and reproductive toxicity threats to the public and adversely affect the aquatic environment.

The California Regional Water Quality Control Board, Central Valley Region ("Regional Board") has issued its Water Quality Control Plan for the Sacramento and San Joaquin River Basins ("Basin Plan"). The Basin Plan identifies the "Beneficial Uses" of water bodies in the region. The Beneficial Uses for the waters that receive polluted storm water discharges from the PNP Sacramento Facility include: agriculture supply (AGR), municipal and domestic supply (MUN), water contact recreation (REC1), non-contact water recreation (REC 2), cold freshwater habitat (COLD), warm freshwater habitat (WARM), estuarine habitat (EST), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR) and spawning, reproduction and development (SPWN). See Basin Plan at II-1.00 – II-8.00.

A water body is impaired pursuant to section 303(d) of the Clean Water Act, 33 U.S.C. § 1313(d), when its Beneficial Uses are not being achieved due to the presence of one or more

pollutants. Downstream of the PNP Sacramento Facility, Elder Creek and Morrison Creek are impaired by various pesticides and sediment toxicity.⁵ Downstream of the PNP Sacramento Facility, the Delta is impaired by, among other things, mercury and unknown toxicity.⁶ Polluted storm water discharges from industrial facilities, such as the PNP Sacramento Facility, contribute to the impairment of surface waters, including the Receiving Waters, and harm aquatic dependent wildlife.

E. The Industrial Activities at the PNP Sacramento Facility and Associated Pollutants.

Information available to CSPA indicates that the following industrial operations are conducted at the PNP Sacramento Facility: automobile dismantling; automobile crushing; automobile parts storage and resale; used and salvaged automobile storage; scrap metal processing, storage, and sale; used battery collection, storage, and recycling; and vehicle and equipment maintenance. Information available to CSPA indicates that the PNP Sacramento Facility Owners and/or Operators also generate and store hazardous waste such as batteries, hydraulic oil, waste oil, used antifreeze, and waste gasoline.

Each of these activities or materials is a potential source of pollutants at the PNP Sacramento Facility. Information available to CSPA indicates that many, if not all, of the industrial operations and associated material storage at PNP Sacramento Facility are conducted outdoors without adequate cover or other effective best management practices ("BMPs") to prevent storm water exposure to pollutant sources, and without adequate secondary containment or other measures to prevent polluted storm water from discharging from the PNP Sacramento Facility.

The pollutants associated with operations at the PNP Sacramento Facility include, but are not limited to: sediment; dust and particulates; petroleum hydrocarbons; coolant; used oil filters; waste antifreeze; used oil; sulfuric acid; solvents; hydraulic fluids; diesel fuel; motor oil; and toxic metals such as mercury, zinc, copper, iron, aluminum, and lead.

Information available to CSPA also indicates that the pollutants and pollutant sources identified above have been and continue to be deposited in and around and/or tracked throughout the PNP Sacramento Facility. Further, individuals performing car repair and other activities deposit pollutants in the Facility parking lot, and where they are exposed to storm water flows. Pollutants accumulate at the storm water discharge points and drop inlets to the onsite storm drain system. They also accumulate at and on the driveways to Stockton Boulevard, resulting in the discharge of pollutants at the driveways as well as tracking of sediment, dirt, oil and grease, metal particles and other pollutants off-site.

⁵ 2010 Integrated Report – All Assessed Waters, available at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml (last accessed on March 20, 2014).

⁶ 2010 Integrated Report – All Assessed Waters, available at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml (last accessed on March 20, 2014).

F. The PNP Sacramento Facility's Failure to Implement BMPs and Associated Discharges of Pollutants.

The PNP Sacramento Facility Owners and/or Operators report that there is one (1) location where storm water is discharged from the Facility. The PNP Sacramento Facility Owners and/or Operators call this discharge point different names including the Drain Interceptor at Parking Lot, D1 at Stockton Blvd., Drain Outfall to Stockton Blvd, and Customer Yard/Site Entrance. CSPA refers to this discharge location as D1. Information available to CSPA indicates there is at least three (3) additional storm water discharge points at the driveways to the Facility from Stockton Boulevard.

D1 is a pipe that is connected to the local municipal separate storm sewer system. Storm water from throughout the entire Facility is collected in an underground storm drain system that channels flow to D1. This includes the car crushing area, areas where fluid draining occurs outdoors and not under cover, automobile dismantling areas, used and wrecked car storage areas (including the customer lot and parking lot), waste material storage areas, and areas throughout the Facility where pollutants from various industrial activities are tracked and spilled.

The driveways at the Facility access the Facility parking lot, as well as provide egress for shipping and receiving of wrecked and dismantled automobiles that are processed on site. The Facility parking lot is heavily soiled with automobile fluids, contains broken and wrecked automobile parts, and is used for storage of wrecked and dismantled vehicles. Storm water exposed to pollutants in the Facility parking lot and egress points is discharged from the Facility driveways.

The PNP Sacramento Facility Owners and/or Operators have not properly developed and/or implemented the required BMPs to address pollutant sources, prevent the exposure of pollutants to storm water, and prevent the subsequent discharge of polluted storm water from the PNP Sacramento Facility during rain events. Consequently, during rain events, storm water carries pollutants from the PNP Sacramento Facility's uncovered and exposed areas of industrial activity into the Receiving Waters. These discharges negatively impact the Receiving Waters and CSPA's members' use and enjoyment of the Receiving Waters.

The PNP Sacramento Facility Owners' and/or Operators' failure to develop and/or implement BMPs required by the Storm Water Permit to reduce or eliminate pollutant levels in discharges is also documented by the Regional Board. Specifically, since 2005, the Regional Board has issued Deficient BMP Letters, a Notice of Violation of the Storm Water Permit, and Staff Enforcement Letters notifying the PNP Sacramento Facility Owners and/or Operators of their Storm Water Permit violations and required corrective actions. For example, on October 23, 2009, the Regional Board issued a Deficient BMP Implementation Letter notifying the PNP Sacramento Facility Owners and/or Operators that their sample results indicated levels of pollutants in storm water discharges above Benchmark Levels.⁷ The October letter required the

⁷ See United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP), as modified effective May 27, 2009.

PNP Sacramento Facility Owners and/or Operators to (1) review all sampling data to identify the number of consecutive years that the Facility has exceeded benchmarks; (2) identify sources of pollutants at the Facility; (3) review current BMPs; (5) modify existing BMPs and/or implement new BMPs to reduce or eliminate the discharge of pollutants; (6) revise the SWPPP and M&RP; (7) submit a written response by December 1, 2009, and; (8) describe what BMP improvements were made in the next Annual Report for the 2009/2010 Wet Season.

The PNP Sacramento Facility Owners and/or Operators submitted a one-page response on November 30, 2009, but did not comply with the Regional Board's October 23, 2009, Deficient BMP Implementation Letter, including the specific acknowledgement that they failed to review all Facility sampling data, and failed to revise the SWPPP and M&RP.

When sample results from the Facility still contained elevated levels of pollutants the Regional Board sent another Deficient BMP Implementation Letter to the PNP Sacramento Facility Owners and/or Operators on October 23, 2009.

After reviewing the Facility's 2009/2010 Annual Report, the Regional Board again issued a Deficient BMP Implementation Letter on October 14, 2010⁸ for excessive pollutant levels in discharges and failure to implement required BMPs. The October 2010 Deficient BMP Implementation Letter reiterated the October 2009 Deficient BMP Implementation Letter's requirements for what the PNP Sacramento Facility Owners and/or Operators must do to address the exceedances, and required a written response by November 19, 2010.

The PNP Sacramento Facility Owners and/or Operators responded to the October 2009 Deficient BMP Implementation Letter on November 19, 2010 but again failed to conduct the required analysis and review of all Facility sampling data, associated pollutant sources, and corresponding BMPs for each pollutant exceedance. The November 19, 2010 response does indicate that the PNP Sacramento Facility Owners and/or Operators intend to install a clarifier in efforts to improve the quality of storm water discharging from the Facility. However, although the PNP Sacramento Facility Owners and/or Operators did not collect storm water samples during the 2011/2012 Wet Season (defined as October 1-May 30), the storm water samples collected during the 2012/2013 Wet Season again contained concentrations of pollutants above Benchmark Levels and applicable water quality standards for at least the following pollutants: copper, zinc, TSS, and pH. *See* Exhibit A. These sample results containing high pollutant concentrations, plus the evidence of the PNP Sacramento Facility Owners' and/or Operators' failure to develop and/or implement an adequate Storm Water Pollution Prevention Plan ("SWPPP") and Monitoring and Reporting Program ("M&RP"), indicate that the required corrective actions have not been taken and the Facility continues to operate in violation of the Storm Water Permit.

II. Violations of the Clean Water Act and the Storm Water Permit.

⁸ A Deficient BMP Implementation Letter was also sent to Pick-N-Pull at 10850 Gold Center Drive, Suite 325 in Rancho Cordova on October 19, 2009.

In California, any person who discharges storm water associated with industrial activity must comply with the terms of the Storm Water Permit in order to lawfully discharge pollutants. *See* 33 U.S.C. §§ 1311(a), 1342; 40 C.F.R. § 122.26(c)(1); *see also* Storm Water Permit, Fact Sheet at VII.

A. Discharges of Polluted Storm Water from the PNP Sacramento Facility in Violation of Effluent Limitation B(3) of the Storm Water Permit.

Effluent Limitation B(3) of the Storm Water Permit requires dischargers to reduce or prevent pollutants associated with industrial activity in storm water discharges through implementation of BMPs that achieve best available technology economically achievable (“BAT”) for toxic pollutants⁹ and best conventional pollutant control technology (“BCT”) for conventional pollutants.¹⁰ Benchmark Levels are relevant and objective standards to evaluate whether a permittee’s BMPs achieve compliance with BAT/BCT standards as required by Effluent Limitation B(3) of the Storm Water Permit.¹¹

Sampling at the PNP Sacramento Facility demonstrates that storm water discharges contain concentrations of pollutants above Benchmark Levels. *See* Exhibit A. The repeated and significant exceedances of Benchmark Levels demonstrate that the PNP Sacramento Facility Owners and/or Operators have not implemented BMPs at the PNP Sacramento Facility that achieve compliance with the BAT/BCT standards. In fact, the PNP Sacramento Facility Owners and/or Operators specifically noted that no corrective action was required even though levels of pollutants in the Facility’s discharges are “at the high end,” and clearly exceed Benchmark Levels. In addition, the files at the Regional Board demonstrate that the PNP Sacramento Facility Owners and/or Operators have been notified on more than one occasion that the storm water discharging from the Facility contains excess levels of pollutants, and that the BMPs at the Facility fail to achieve compliance with the BAT/BCT standard. Despite these notices from the Regional Board, the PNP Sacramento Facility Owners and/or Operators have failed and continue to fail to develop and/or implement BMPs to prevent the exposure of pollutants to storm water and to prevent discharges of polluted storm water from the PNP Sacramento Facility, in violation of Effluent Limitation B(3) of the Storm Water Permit.

Information available to CSPA indicates that the PNP Sacramento Facility Owners and/or Operators violate Effluent Limitation B(3) of the Storm Water Permit for failing to develop and/or implement BMPs that achieve BAT/BCT each time storm water is discharged from the PNP Sacramento Facility. *See e.g.*, Exhibit B (setting forth dates of rain events resulting in a discharge at the Facility).¹² These discharge violations are ongoing and will continue each day

⁹ Toxic pollutants are listed at 40 C.F.R. § 401.15 and include copper, lead, and zinc, among others.

¹⁰ Conventional pollutants are listed at 40 C.F.R. § 401.16 and include biological oxygen demand, total suspended solids, oil and grease, pH, and fecal coliform.

¹¹ *See* EPA Storm Water Multi-Sector Permit (2008), Fact Sheet, p. 106; *see also*, EPA Storm Water Multi-Sector Permit, 65 Federal Register 64839 (2000).

¹² Exhibit B sets forth dates of significant rain events as measured at the Sacramento Metro Airport rain gauge from March 21, 2009 to March 21, 2014. A significant rain event is defined by EPA as a rainfall event generating 0.1 inches or more of rainfall, which generally results in measurable discharges at a typical industrial facility.

the PNP Sacramento Facility Owners and/or Operators discharge polluted storm water without developing and/or implementing BMPs that achieve compliance with the BAT/BCT standards. CSPA will update the number and dates of violation when additional information and data becomes available. Each time the PNP Sacramento Facility Owners and/or Operators discharge polluted storm water in violation of Effluent Limitation B(3) of the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). The PNP Sacramento Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since March 21, 2009.

B. Discharges of Polluted Storm Water in Violation of Receiving Water Limitations C(1) and C(2) of the Storm Water Permit.

Receiving Water Limitation C(1) of the Storm Water Permit prohibits storm water discharges and authorized non-stormwater discharges to surface water or ground water that adversely impact human health or the environment. Discharges that contain pollutants in concentrations that exceed levels known to adversely impact aquatic species and the environment constitute violations of Receiving Water Limitation C(1) of the Storm Water Permit and the Clean Water Act. Receiving Water Limitation C(2) of the Storm Water Permit prohibits storm water discharges and authorized non-stormwater discharges that cause or contribute to an exceedance of an applicable water quality standard ("WQS").¹³ Discharges that contain pollutants in excess of an applicable WQS violate Receiving Water Limitation C(2) of the Storm Water Permit and the Clean Water Act.

Information available to CSPA indicates that the PNP Sacramento Facility's storm water discharges contain elevated concentrations of pollutants, including but not limited to copper, aluminum, lead, iron, zinc, cadmium, and mercury, which can be acutely toxic and/or have sub-lethal impacts on the avian and aquatic wildlife in the Receiving Waters. Discharges of elevated concentrations of pollutants in the storm water from the PNP Sacramento Facility also adversely impact human health. These harmful discharges from the PNP Sacramento Facility are violations of Receiving Water Limitation C(1).

Information available to CSPA further indicates that the PNP Sacramento Facility's storm water discharges contain concentrations of pollutants that cause or contribute to an exceedance of applicable WQs, in violation of Receiving Water Limitation C(2). *See e.g.* Exhibit A. Storm water discharges from the PNP Sacramento Facility that cause or contribute to exceedances of WQs are violations of Receiving Water Limitation C(2).

Information available to CSPA indicates that the storm water discharges from the PNP Sacramento Facility violate Receiving Water Limitations C(1) and/or C(2) each time storm water is discharged from the Facility. These violations are ongoing, and will continue each time

¹³ As explained above in Section I.D, the Basin Plan designates Beneficial Uses for the Receiving Waters. Water quality standards are pollutant concentration levels determined by the state or federal agencies to be protective of designated Beneficial Uses. Discharges above water quality standards contribute to the impairment of the Receiving Waters' Beneficial Uses. Applicable water quality standards include, among others, the Criteria for Priority Toxic Pollutants in the State of California, 40 C.F.R. § 131.38 ("CTR"), and the water quality objectives in the Basin Plan.

contaminated storm water is discharged in violation of the Receiving Water Limitation C(1) and/or C(2) of the Storm Water Permit. Each time discharges of storm water from the Facility adversely impact human health or the environment is a separate and distinct violation of Receiving Water Limitation C(1) of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). Each time discharges of storm water from the PNP Sacramento Facility cause or contribute to a violation of an applicable WQS is a separate and distinct violation of Receiving Water Limitation C(2) of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). CSPA will update the number and dates of violation when additional information becomes available. The PNP Sacramento Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since March 21, 2009.

C. Failure to Develop, Implement, and/or Revise an Adequate Storm Water Pollution Prevention Plan.

Section A(1) and Provision E(2) of the Storm Water Permit require dischargers to have developed and implemented a SWPPP by October 1, 1992, or prior to beginning industrial activities, that meets all of the requirements of the Storm Water Permit. The objective of the SWPPP requirement is to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges from the PNP Sacramento Facility, and to implement site-specific BMPs to reduce or prevent pollutants associated with industrial activities in storm water discharges. *See* Storm Water Permit, Section A(2). These BMPs must achieve compliance with the Storm Water Permit's Effluent Limitations and Receiving Water Limitations. To ensure compliance with the Storm Water Permit, the SWPPP must be evaluated on an annual basis pursuant to the requirements of Section A(9), and must be revised as necessary to ensure compliance with the Storm Water Permit. *Id.*, Sections A(9) and (10).

Sections A(3) – A(10) of the Storm Water Permit set forth the requirements for a SWPPP. Among other requirements, the SWPPP must include: a site map showing the facility boundaries, storm water drainage areas with flow patterns, nearby water bodies, the location of the storm water collection, conveyance and discharge system, structural control measures, areas of actual and potential pollutant contact, and areas of industrial activity (*see* Storm Water Permit, Section A(4)); a list of significant materials handled and stored at the site (*see* Storm Water Permit, Section A(5)); a description of potential pollutant sources, including industrial processes, material handling and storage areas, dust and particulate generating activities, significant spills and leaks, non-stormwater discharges and their sources, and locations where soil erosion may occur (*see* Storm Water Permit, Section A(6)). Sections A(7) and A(8) of the Storm Water Permit require an assessment of potential pollutant sources at the facility and a description of the BMPs to be implemented at the facility that will reduce or prevent pollutants in storm water discharges and authorized non-stormwater discharges, including structural BMPs where non-structural BMPs are not effective.

Information available to CSPA indicates that PNP Sacramento Facility Owners and/or Operators have been conducting operations at the Facility with an inadequately developed and/or

implemented SWPPP. For example, the PNP Sacramento Facility Owners and/or Operators failed to create a site map that includes all the information required by Section A(4) of the Storm Water Permit. The PNP Sacramento Facility Owners and/or Operators have also failed and continue to fail to develop and/or implement a SWPPP that contains BMPs to prevent the exposure of pollutant sources to storm water and the subsequent discharge of polluted storm water from the Facility, as required by the Storm Water Permit. The SWPPP inadequacies are documented by the continuous and ongoing discharge of storm water containing pollutant levels in violation of the Storm Water Permit. *See, e.g.,* Exhibit A. The Regional Board has also notified the PNP Sacramento Facility Owners and/or Operators that the levels of pollutants in their storm water discharges require them to improve BMPs in order to comply with the Storm Water Permit. However, the PNP Sacramento Facility Owners and/or Operators continue to respond to the Regional Board notices with inadequate BMP modifications.

The PNP Sacramento Facility Owners and/or Operators have also not revised the SWPPP as required by the Storm Water Permit. For example, even though the Regional Board has notified the PNP Sacramento Facility Owners and/or Operators twice that their sampling results indicate the Facility's BMPs are inadequate, and all of the Facility's sampling results indicate that the BMPs are inadequate (as demonstrated by repeated Benchmark Level and WQS exceedences), the PNP Sacramento Facility Owners and/or Operators have not developed a revised SWPPP to identify BMPs that ensure compliance with the Storm Water Permit.

The PNP Sacramento Facility Owners and/or Operators have failed to adequately develop, implement, and/or revise a SWPPP, in violation of Section A and Provision E(2) of the Storm Water Permit. Every day the PNP Sacramento Facility operates with an inadequately developed, implemented, and/or properly revised SWPPP is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The PNP Sacramento Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's SWPPP requirements since at least March 21, 2009. These violations are ongoing, and CSPA will include additional violations when information becomes available. The PNP Sacramento Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since March 21, 2009.

D. Failure to Develop, Implement, and/or Revise an Adequate Monitoring and Reporting Program.

Section B(1) and Provision E(3) of the Storm Water Permit require facility operators to develop and implement an adequate M&RP by October 1, 1992, or prior to the commencement of industrial activities at a facility, that meets all of the requirements of the Storm Water Permit. The primary objective of the M&RP is to detect and measure the concentrations of pollutants in a facility's discharge to ensure compliance with the Storm Water Permit's Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations. *See* Storm Water Permit, Section B(2). The M&RP must therefore ensure that BMPs are effectively reducing and/or eliminating pollutants at the facility, and must be evaluated and revised whenever appropriate to ensure compliance with the Storm Water Permit. *Id.*

Sections B(3) – B(16) of the Storm Water Permit set forth the M&RP requirements. Specifically, Section B(3) requires dischargers to conduct quarterly visual observations of all drainage areas within their facility for the presence of authorized and unauthorized non-stormwater discharges. Section B(4) requires dischargers to conduct visual observations of storm water discharges from one storm event per month during the Wet Season. Sections B(3) and B(4) further require dischargers to document the presence of any floating or suspended material, oil and grease, discolorations, turbidity, odor, and the source of any pollutants. Dischargers must maintain records of observations, observation dates, locations observed, and responses taken to eliminate unauthorized non-stormwater discharges and to reduce or prevent pollutants from contacting non-stormwater and storm water discharges. *See* Storm Water Permit, Sections B(3) and B(4). Dischargers must also revise the SWPPP in response to these observations to ensure that BMPs are effectively reducing and/or eliminating pollutants at the facility. *Id.*, Section B(4).

Sections B(5) and B(7) of the Storm Water Permit require dischargers to collect samples of storm water from all locations where storm water is discharged. Storm water samples must be analyzed for TSS, pH, specific conductance, total organic carbon or oil and grease, and other pollutants that are likely to be present in the facility's discharges in significant quantities. *See* Storm Water Permit, Section B(5)(c). The Storm Water Permit requires facilities classified as SIC Code 5015, such as the PNP Sacramento Facility, to also analyze storm water samples for iron, lead, and aluminum. *Id.*; *see also* Storm Water Permit, Table D, Sector M.

For facility owners and/or operators participating in a GMP, all of the above M&RP requirements apply, including the sample collection requirements. *See* Storm Water Permit, Sections B(15)(b), (f), and (h). Each GMP participant must collect and analyze samples from at least two storm events over the five-year period of the Storm Water Permit, or more depending on the requirements of the site-specific GMP. *See* Storm Water Permit, Section B(15)(b). GMP participants must comply with all other monitoring program and reporting requirements of the Storm Water Permit during all Wet Seasons. Storm Water Permit, Section B(15)(h).

Information available to CSPA, including review of Annual Reports, indicates that the PNP Sacramento Facility Owners and/or Operators have been conducting operations at the Facility with an inadequately developed and/or implemented M&RP, and have failed to revise the M&RP as required by the Storm Water Permit. Specifically, each year since at least the 2008/2009 Wet Season, the PNP Sacramento Facility Owners and/or Operators have failed to comply with the Storm Water Permit's requirements for observations of unauthorized and authorized non-stormwater discharges, visual observations of storm water discharges, and sample collection and analysis. *See* PNP Sacramento Facility 2008/2009 – 2012/2013 Annual Reports; *see also* Storm Water Permit, Section B (monitoring requirements). For example, visual observations of unauthorized and authorized non-stormwater discharges are not being conducted as required by the Storm Water Permit, including failing to make the required observations at each drainage areas. *See e.g.* 2012/2013 Annual Report, Form 2. In addition, when non-stormwater visual observations are conducted, and non-stormwater discharges are detected, the required information such as identifying the source of the non-stormwater, is not provided.

The PNP Sacramento Facility Owners and/or Operators are also not collecting or analyzing samples as required by the Storm Water Permit. For example, samples of storm water are not being collected from each discharge location, and often are collected outside the acceptable range set out in the Storm Water Permit. Storm water samples are not being analyzed for all pollutants required by the Storm Water Permit, such as aluminum, a Table D parameter every 5015 facility is required to analyze samples for,¹⁴ or for pollutants associated with industrial activities that re present in significant quantities, such as cadmium. In fact, the PNP Sacramento Facility Owners and/or Operators were analyzing for cadmium but without explanation, stopped this analysis after the 2009/2010 Wet Season, despite sample results indicating high levels of cadmium in the Facility's storm water discharges. These failures to comply with the Storm Water Permit's requirements demonstrate the inadequacies of the M&RP and the failure to properly implement the M&RP at the Facility.

The PNP Sacramento Facility Owners' and/or Operators' failure to conduct sampling, monitoring, and reporting as required by the Storm Water Permit demonstrates that they have failed to develop, implement, and/or revise an M&RP that complies with the requirements of Section B and Provision E(3) of the Storm Water Permit. Every day that the PNP Sacramento Facility Owners and/or Operators conduct operations in violation of the specific monitoring and reporting requirements of the Storm Water Permit, or with an inadequately developed and/or implemented M&RP, is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The PNP Sacramento Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's M&RP requirements every day since at least March 21, 2009. These violations are ongoing, and CSPA will include additional violations when information becomes available. The PNP Sacramento Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since March 21, 2009.

E. Failure to Comply with the Storm Water Permit's Reporting Requirements.

Section B(14) of the Storm Water Permit requires a permittee to submit an Annual Report to the Regional Board by July 1 of each year. Section B(14) requires that the Annual Report include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling results, the laboratory reports of sample analysis, the annual comprehensive site compliance evaluation report, an explanation of why a permittee did not implement any activities required, and other information specified in Section B(13).

Since at least the 2008/2009 Annual Report, the PNP Sacramento Facility Owners and/or Operators have failed to submit Annual Reports that comply with the Storm Water Permit reporting requirements, including filing incomplete Annual Reports that do not provide the information required by the Storm Water Permit. For example, each Annual Report indicates that: (1) a complete Annual Comprehensive Site Compliance Evaluation was done pursuant to

¹⁴ Information available to CSPA indicates that the PNP Sacramento Facility Owners' and/or Operators' were notified that their excuse for failing to analyze samples for aluminum - which was that the sampling plan for the auto dismantling group that the Facility belongs to does not specifically include aluminum, and the plan was approved by the State Board - is not appropriate, and that the group sampling plan must be modified accordingly.

Section A(9) of the Storm Water Permit; (2) the SWPPP's BMPs address existing potential pollutant sources; and (3) the SWPPP complies with the Storm Water Permit, or will otherwise be revised to achieve compliance. However, information available to CSPA, including a review of the Regional Board's files and the PNP Sacramento Facility storm water sampling data, indicates that these certifications by the PNP Sacramento Facility Owners and/or Operators are erroneous, because they have not developed and/or implemented adequate BMPs or revised the SWPPP, resulting in the ongoing discharge of storm water containing pollutant levels in violation of the Storm Water Permit limitations. In fact, Annual Reports document the need for additional BMPs, or improvements to current BMPs, yet the compliance certifications note all required BMPs are in place and working as intended.

In addition, as explained above, the Regional Board has notified the PNP Sacramento Facility Owners and/or Operators on more than one occasion that BMPs at the PNP Sacramento Facility need review and improvement. However, information available to CSPA indicates that all of the required improvements have not occurred, even though the PNP Sacramento Facility Owners and/or Operators have certified in their Annual Reports that all required BMPs have been developed and implemented, and that the PNP Sacramento Facility is in compliance with the Storm Water Permit. Thus, the PNP Sacramento Facility Owners and/or Operators have failed and continue to fail to report as required by the Storm Water Permit.

Information available to CSPA indicates that the PNP Sacramento Facility Owners and/or Operators have submitted incomplete and/or incorrect Annual Reports that fail to comply with the Storm Water Permit. As such, the PNP Sacramento Facility Owners and/or Operators are in daily violation of the Storm Water Permit. Every day the PNP Sacramento Facility Owners and/or Operators conduct operations at the Facility without reporting as required by the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). The PNP Sacramento Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's reporting requirements every day since at least March 21, 2009. These violations are ongoing. The PNP Sacramento Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since March 21, 2009.

III. Relief and Penalties Sought for Violations of the Clean Water Act.

Pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d), and the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. §19.4, each separate violation of the Clean Water Act subjects the violator to a penalty for all violations occurring during the period commencing five years prior to the date of a notice of intent to file suit letter. These provisions of law authorize civil penalties of up to \$37,500 per day per violation for all Clean Water Act violations. In addition to civil penalties, CSPA will seek injunctive relief preventing further violations of the Clean Water Act pursuant to Sections 505(a) and (d), 33 U.S.C. §1365(a) and (d), declaratory relief, and such other relief as permitted by law. Lastly, pursuant to Section 505(d) of the Clean Water Act, 33 U.S.C. § 1365(d), CSPA will seek to recover its costs, including attorneys' and experts' fees, associated with this enforcement action.

IV. Conclusion

Upon expiration of the 60-day notice period, CSPA will file a citizen suit under Section 505(a) of the Clean Water Act for the PNP Sacramento Facility Owners' and/or Operators' violations of the Storm Water Permit. During the 60-day notice period, however, CSPA is willing to discuss effective remedies for the violations noted in this letter. If you wish to pursue such discussions please contact CSPA. Please direct all communications to CSPA's legal counsel:

Layne Friedrich
layne@lawyersforcleanwater.com
Drevet Hunt
drev@lawyersforcleanwater.com
Lawyers for Clean Water, Inc.
1004-A O'Reilly Avenue
San Francisco, California 94129
Tel: (415) 440-6520

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Jennings", is written over a faint, circular embossed seal.

Bill Jennings, Executive Director
California Sportfishing Protection Alliance

SERVICE LIST

Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Thomas Howard
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

Jared Blumenfeld
Regional Administrator
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 94105

Pamela Creedon
Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, California 95670-6114

Exhibit A

Date/time of sample collection	Parameter	Sample Location	Result	Units	Benchmark	Magnitude of Benchmark Exceedance	Water Quality Objectives/CTR	Magnitude of WQO/CTR Exceedance
2008/2009 WET SEASON								
3/22/09 9:40	Electrical Conductivity @ 25 Deg. C	Drain Inercpt Prkng Lot	220	umhos/cm	200	1.1	340 micromhos/cm	N/A
3/22/09 9:40	Lead Total	Drain Inercpt Prkng Lot	0.26	mg/L	0.069	3.77	0.082	3.17
3/22/09 9:40	Copper Total	Drain Inercpt Prkng Lot	0.18	mg/L	0.0123	14.63	0.014	12.86
3/22/09 9:40	Zinc Total	Drain Inercpt Prkng Lot	0.81	mg/L	0.11	7.36	0.12	6.75
3/22/09 9:40	Cadmium	Drain Inercpt Prkng Lot	0.0062	mg/L	0.0018	3.44	0.00	1.38
3/22/09 9:40	Total Suspended Solids (TSS)	Drain Inercpt Prkng Lot	190	mg/L	100	1.9	N/A	N/A
2009/2010 WET SEASON								
11/20/09 12:45	Copper Total	D1 at Stockton Blvd	0.14	mg/L	0.0123	11.38	0.014	10.00
11/20/09 12:45	Lead Total	D1 at Stockton Blvd	0.15	mg/L	0.069	2.17	0.082	1.83
11/20/09 12:45	pH	D1 at Stockton Blvd	4.03	pH units	6.0 - 9.0	N/A	6.5 - 8.5	N/A
11/20/09 12:45	Zinc Total	D1 at Stockton Blvd	1.4	mg/L	0.11	12.73	0.12	11.67
3/12/10 11:45	Copper Total	D1 at Stockton Blvd	0.036	mg/L	0.0123	2.93	0.014	2.57
3/12/10 11:45	pH	D1 at Stockton Blvd	5.8	pH units	6.0 - 9.0	N/A	6.5 - 8.5	N/A
3/12/10 11:45	Zinc Total	D1 at Stockton Blvd	0.26	mg/L	0.11	2.36	0.12	2.17
2010/2011 WET SEASON								
1/13/11 11:45	Copper Total	Drain outfall to Stockton Blvd	0.044	mg/L	0.0123	3.58	0.014	3.14
1/13/11 11:45	Zinc Total	Drain outfall to Stockton Blvd	0.29	mg/L	0.11	2.64	0.12	2.42
2011/2012 WET SEASON								
DID NOT COLLECT ANY SAMPLES								
2012/2013 WET SEASON								
11/29/12 10:00	Copper Total	Customer Yard / Site Entrance	0.03	mg/L	0.0123	2439.02	0.014	2142.86
11/29/12 10:00	Total Suspended Solids (TSS)	Customer Yard / Site Entrance	102	mg/L	100	1.02	N/A	N/A
11/29/12 10:00	Zinc Total	Customer Yard / Site Entrance	0.22	mg/L	0.11	2000	0.12	1833.33
11/29/12 10:00	pH	Customer Yard / Site Entrance	6	pH units	6.0 - 9.0	N/A	6.5 - 8.5	N/A

Exhibit B

**All Wet Season Rain Events With Discharge Over 0.1 Inches Since March 21, 2009
Sacramento Metro Airport Rain Gauge**

Date	Day of the Week	Daily Precip
4/7/09	Tuesday	0.32
4/8/09	Wednesday	0.15
5/1/09	Friday	0.55
5/2/09	Saturday	0.16
10/13/09	Tuesday	1.97
10/14/09	Wednesday	0.16
10/19/09	Monday	0.23
11/17/09	Tuesday	0.16
11/20/09	Friday	0.28
12/6/09	Sunday	0.16
12/7/09	Monday	0.2
12/10/09	Thursday	0.16
12/11/09	Friday	0.82
12/12/09	Saturday	0.59
12/13/09	Sunday	0.16
12/16/09	Wednesday	0.2
12/21/09	Monday	0.12
1/13/10	Wednesday	0.28
1/18/10	Monday	0.15
1/19/10	Tuesday	1.26
1/20/10	Wednesday	0.95
1/21/10	Thursday	0.63
1/23/10	Saturday	0.23
1/25/10	Monday	0.28
2/4/10	Thursday	0.51
2/9/10	Tuesday	0.11
2/23/10	Tuesday	0.51
2/26/10	Friday	0.36
2/27/10	Saturday	0.47
3/2/10	Tuesday	0.16
3/3/10	Wednesday	0.75
3/12/10	Friday	0.27
4/4/10	Sunday	0.59
4/11/10	Sunday	0.59
4/12/10	Monday	0.75
4/20/10	Tuesday	0.47

4/27/10	Tuesday	0.12
5/10/10	Monday	0.16
5/25/10	Tuesday	0.16
5/27/10	Thursday	0.12
10/23/10	Saturday	0.16
10/24/10	Sunday	0.47
11/7/10	Sunday	0.39
11/19/10	Friday	0.55
11/20/10	Saturday	0.83
11/27/10	Saturday	0.24
12/2/10	Thursday	0.11
12/4/10	Saturday	0.16
12/5/10	Sunday	0.87
12/8/10	Wednesday	0.16
12/17/10	Friday	0.55
12/18/10	Saturday	0.63
12/19/10	Sunday	1.26
12/20/10	Monday	0.2
12/22/10	Wednesday	0.47
12/25/10	Saturday	0.71
12/28/10	Tuesday	0.2
1/1/11	Saturday	0.27
1/2/11	Sunday	0.47
1/30/11	Sunday	0.27
2/16/11	Wednesday	0.44
2/17/11	Thursday	0.78
2/18/11	Friday	0.55
2/19/11	Saturday	0.12
2/24/11	Thursday	0.55
2/25/11	Friday	0.64
3/6/11	Sunday	0.48
3/13/11	Sunday	0.35
3/14/11	Monday	0.2
3/15/11	Tuesday	0.63
3/18/11	Friday	0.59
3/19/11	Saturday	0.43
3/20/11	Sunday	0.67
3/23/11	Wednesday	0.23
3/24/11	Thursday	0.99
3/26/11	Saturday	0.27
5/15/11	Sunday	0.12

5/16/11	Monday	0.32
5/17/11	Tuesday	0.27
5/18/11	Wednesday	0.16
5/25/11	Wednesday	0.2
10/5/11	Wednesday	0.27
10/10/11	Monday	0.63
11/5/11	Saturday	0.24
11/20/11	Sunday	0.12
11/24/11	Thursday	0.15
1/19/12	Thursday	0.2
1/20/12	Friday	1.06
1/22/12	Sunday	0.24
1/23/12	Monday	0.71
2/7/12	Tuesday	0.12
2/29/12	Wednesday	0.31
3/14/12	Wednesday	0.71
3/16/12	Friday	0.79
3/17/12	Saturday	0.12
3/25/12	Sunday	0.47
3/27/12	Tuesday	0.87
3/31/12	Saturday	0.12
4/11/12	Wednesday	0.16
4/12/12	Thursday	0.71
4/13/12	Friday	0.55
4/25/12	Wednesday	0.35
10/22/12	Monday	0.75
10/31/12	Wednesday	0.19
11/1/12	Thursday	0.24
11/16/12	Friday	0.24
11/17/12	Saturday	0.51
11/21/12	Wednesday	0.35
11/28/12	Wednesday	0.4
11/29/12	Thursday	0.11
11/30/12	Friday	0.99
12/1/12	Saturday	0.51
12/2/12	Sunday	1.18
12/5/12	Wednesday	0.31
12/15/12	Saturday	0.16
12/17/12	Monday	0.12
12/21/12	Friday	0.35
12/22/12	Saturday	1.46

12/23/12	Sunday	0.67
12/25/12	Tuesday	0.87
1/5/13	Saturday	0.51
1/6/13	Sunday	0.23
1/23/13	Wednesday	0.16
2/19/13	Tuesday	0.27
3/6/13	Wednesday	0.12
3/19/13	Tuesday	0.16
3/20/13	Wednesday	0.31
3/31/13	Sunday	1.27
4/4/13	Thursday	0.59
5/6/13	Monday	0.11
11/19/13	Tuesday	0.39
11/20/13	Wednesday	0.16
12/6/13	Friday	0.24
1/30/14	Thursday	0.15
2/6/14	Thursday	0.36
2/7/14	Friday	0.12
2/8/14	Saturday	1.02
2/9/14	Sunday	0.47
2/26/14	Wednesday	0.28
2/28/14	Friday	0.63
3/3/14	Monday	0.11
3/5/14	Wednesday	0.36

